

Ex. 11

Lawman suspended for having sex with informant

► Sheriff's corporal was once named Deputy of the Year

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Staff Reporter

A Mobile County sheriff's corporal once cited as Deputy of the Year was suspended for 30 days this year for having sex with a woman identified in Personnel Board records as being an FBI drug informant, records show.

Sheriff Jack that Roy Cuthkelvin, 45, admitted that he "willfully and inappropriately had a sexual relationship," with the woman on or about Oct. 10, 2004.

Cuthkelvin, who a sheriff's office spokeswoman said is now in the department's civil section, could not be reached for comment Wednesday.

At the time of the relationship, the woman was awaiting court proceedings on a drug arrest made by the sheriff's office; she was also helping with an ongoing drug investigation, according to a letter from Tillman included in Cuthkelvin's Personnel Board file.

"We consider the charges very serious," said Christina Bowersox, the sheriff's spokeswoman. Cuthkelvin acknowledged the severity of the departmental charges as well in pleading guilty to them,

Corporal hit with 30-day suspension

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Bowersox said.

Cuthkelvin was found to be guilty of conduct unbecoming an employee in the public service and disorderly or immoral conduct.

Cuthkelvin, a member of the FBI Violent Crimes Task Force when the incident took place, allegedly denied the relationship to FBI Assistant Special Agent-in-Charge Bill Lewis and Sheriff's Lt. Michael Reynolds on or about Oct. 14, a letter said.

Cuthkelvin left the task force — a group of federal, state and local law enforcement agents who work out of the FBI office — on or about Oct. 25, said Craig Dahle, FBI spokesman in Mobile.

"I can't comment on what, if any, impact he would have had on any cases," Dahle said. Any decisions about whether a member of the task force should be removed is up to the agency they work for, he said.

Dahle said "it was troublesome," that a woman was labeled as an FBI informant in a public document on file at the Mobile County Personnel Board. He said he could not comment on whether a person is an informant or not.

The sheriff's spokeswoman said Wednesday that the department erred in naming the informant in the document and will take immediate steps to have the name stricken.

On Aug. 13, sheriff's deputies executed a warrant to search the informant's home, and the woman was arrested for possession of cocaine, records show. In a signed deposition, Deputy Clinton Law said the informant claimed that some of cocaine in the home belonged to her.

A man was arrested during the search and charged with obstructing justice by using a false identity and with posses-

sion of cocaine, records show. In November, the case against the Prichard woman was not pressed, meaning a decision was made not to prosecute the charges, according to court records.

Bowersox said she did not believe Cuthkelvin's involvement with the informant affected the outcome of the state case against her because he was not involved in her arrest. Cuthkelvin began his suspension without pay Jan. 1, according to the records.

One of Tillman's letters to Cuthkelvin said, "You are admonished that any further acts of misconduct on your part will be dealt with most severely and may result in your being dismissed for cause."

In addition to being named Deputy of the Year in 2001, Cuthkelvin, an 11-year veteran of the department and a former Marine, received other awards for his service.

He was shot during a raid of a methamphetamine lab in Theodore in 2002, the Register reported then. Cuthkelvin was hit in the groin, suffered no major injuries and was discharged from the hospital the day after the shooting, the Register reported.

In connection with the shooting, Gerald Eugene Bennett of Theodore was convicted in federal court of several charges, including attempted murder of a law enforcement officer and conspiring to manufacture meth, records show. Bennett was sentenced to 34 years in federal prison.

In December 2003, Bennett also pleaded guilty in Mobile County Circuit Court to the attempted murder of Cuthkelvin and was sentenced to 10 years in prison to be served concurrently with the federal sentence, the Register reported.